ELGIN CITY COUNCIL AGENDA

ELGIN COMMUNITY CENTER — JANUARY 14, 1997

CALL TO ORDER 7:00 pm
APPROVE THE MINUTES of DECEMBER 10, 1996

SWEAR IN MAYOR
SWEAR IN COUNCILORS, RECORDER/ADMINISTRATOR

SUPERVISORS REPORTS

Police	Dayton Sibley
Public works	Kyle Boylen
Library	Sandra Good
Fire	Pat McDonald
Ambulance	Bobbie Laber
Municipal court	Ralph Howell
Recorder	Joe Garlitz

7:10 HEARING
Sam & Annabelle Horrell, Conditional Use: Food Bank store & Day care in residential zone.

CITIZENS TO SPEAK

COMMITTEE REPORTS
Administration: Councilors McMullen & Churchill
Public Works: Councilors Smith & Dyer
Public Safety: Councilors Cooper & Stover

OLD BUSINESS
Forfeiture/Impound Ordinance
Opera House 3rd party use guidelines
1991 Chandler lease amendments, signature

NEW BUSINESS
Budget committee appointments
Union County Public Works proposal to share purchase of sandbagger.
Anderson Perry proposal for Inflow/Infiltration work on sewer
Norm Marshall, 6 Month probationary period ended

CORRESPONDENCE
ODoT, 10th Street sidewalk grant denied
OEDD, disaster funds grants
City of Halfway, mandatory notification center membership
ODoT, Infrastructure bank
USDA/Rural Development, refinance sewer loans
LOC, Regulation of "adult"businesses
OTEC, capital credit refund $1,702.95

GOOD OF THE ORDER
Approve bills

ADJOURN

CITY of ELGIN
COUNCIL MINUTES FOR JANUARY 14, 1997

COUNCILORS PRESENT-	Kevin Cooper
	John Stover
	Berta Churchill
	Randy McKone - Mayor
	Rick Smith (Mayor elect)
ABSENT-	Pat McMullen
	Misty Bennett

Call to Order
The meeting was called to order at 7 pm by Mayor Randy McKone.

Approval of Minutes
The Mayor called for approval of the minutes of the meeting of December 10, 1996. Councilor Smith moved to approve the minutes of December 10, 1996 as presented, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Mayor McKone took this opportunity to thank the citizens of Elgin for their support and the Councilors and City staff for their service to the City. He then administered the oath of office to Mayor Elect Rick Smith and turned the chair over to Mayor Smith.

Mayor Smith then administered the oath of office to Councilor Berta Churchill and to Recorder/Administrator Joe Garlitz. Leroy Short, councilor elect, was not present at this time.

Supervisors Reports
The Mayor called for the supervisors reports.

Police- Chief Sibley; absent, no report.

Public works- Kyle Boylen reported on the high infiltration being experienced at the sewer lagoon. He noted that the lagoons were within a fraction of an inch of over-flowing before the weather cooled off. The pond levels are dropping at this time.

Library- Sandra Good reported that the Meyer Trust grant has been spent providing 75 CDs for the library. The children's grant has also been spent adding to the children collection. The County grant of $795 has been received.

Fire- Chief McDonald reported that the furnace at the fire hall needed repairs that have been taken care of. He also reported that the bay doors have been a problem and that new doors have been ordered and will be installed as soon as possible. The doors will cost about $2,100. Money budgeted for repairs will be used for this expenditure.

Ambulance- Merle Laci presented the ambulance purchase contract for signature. He reported that the ambulance will be delivered in about 30 days. He also reported that Grande Ronde Hospital has donated a radio worth about $1,000 to the ambulance service.

Ralph Howell reported that he is expecting to hear within the next few days about a $3,000 grant he has requested for the ambulance.

Municipal Court- Ralph Howell reported that there was only one court session in December. His written report was presented.

Recorder/Administrator- Joe Garlitz asked the councilors to provide name and address information for the League of Oregon Cities database.

Councilor Elect Leroy Short was present at this time. Mayor Smith administered the oath of office to Councilor Short. He was then seated on the Council.

Hearing:

The application of Sam and Annabelle Horrell for a Conditional Use Permit to operate the Elgin Food Bank and a day care center was considered. The property is located at 1704 Alder St; (TWP 1N Rng 39 sec 15 CB #2100). The lot is 120 by 102.5 feet and is zoned for residential use. There is an old house on the east 60' of the lot; the west 60' is vacant.

The applicants are proposing to set a manufactured home (56'x 24') on the vacant portion of the lot for use as the Elgin Food Bank and for a day care center. The manufactured home will be installed to meet all the requirements for a single family residence in the residential zone. The residential zone provides for public buildings such as schools or community centers and playgrounds, and neighborhood grocery stores as a conditional uses.

Mayor Smith opened the hearing. Mrs. Horrell briefly described the proposed use. The Mayor asked for comments supporting the application. Rev. Jerry Peters stated he favored the request.

Mayor Smith then asked for comments in opposition to the application. Elsie Churchill stated she opposed the use due to increased traffic. Pat McDonald stated he was concerned about the noise from the playground, and stated that the existing house should be condemned and torn down. Robert Swisher was concerned about the increase in traffic and no provisions for off-street parking.

After some discussion with the Horrells, Ralph Howell asked if the Horrells would be willing to remove the existing house. Mr. Horrell stated that the house was going to be torn down. Councilor Short asked if the day care center was to be licensed by the State. Mrs. Horrell stated that the center would be licensed and inspected by the State. Councilor Stover stated he was concerned about the number of neighbors in opposition to the application, and concerned that there was no off-street parking. Councilor Churchill asked why the plan to use the PGG lot for the Food Bank was being abandoned. Mr. Horrell stated that the cost of moving the old church and setting it up was too costly, and the PGG lease was only for 5 years. Mr. Garlitz asked for a clarification as to how many hours the Food Bank would be open. Mrs. Horrell stated the Food Bank was open 2-3 hours one day each month.

After additional discussion, Cecil Churchill stated that he could support the application if all of the old buildings were removed and the lot cleaned up. Mayor Smith stated that there should be a solution here. We should not loose the Food Bank for lack of a place. Councilor Short stated that the neighbors were expressing concerns that Mr.

Horrell's property was not well kept. He said that having a State certified day care would require the property to be well maintained. He then asked those in opposition that if the old buildings were removed and the property cleaned up, if that would satisfy their main concerns. Several people responded favorably to having all the old buildings removed and the entire lot cleaned up. It was also suggested that off-street parking was necessary.

Mayor Smith closed the hearing and asked for a decision from the Council. Councilor Stover stated that there were several conditions that should be placed on the approval:

Remove all existing buildings and debris;
Provide a graveled off-street parking area for a minimum of 10 vehicles;
Provide a fenced lawn area for the children.

Councilor Cooper suggested adding the following:

Any storage buildings or other out-buildings should be constructed and maintained with a similar appearance to the main structure;
Limit the noise potential considering the needs of the neighbors;
Maintain State certification of the day care facility.

After discussion of the Council, Councilor Stover moved to approve the application with the following conditions:

1) Install a manufactured home (56'x 24') on the vacant portion of the lot for use as the Elgin Food Bank and for a day care center. The manufactured home will be installed to meet all the requirements for a single family residence in the residential zone;
2) Remove all existing buildings and debris;
3) Provide a graveled off-street parking area for a minimum of 10 vehicles;
4) Provide a fenced lawn area for the children;
5) Any storage building or other out-building is to be constructed and maintained with a similar appearance to the main structure;
6) Limit the noise potential considering the needs of the neighbors;
7) Maintain State certification of the day care facility.

Councilor Cooper was second to the motion. The vote was four in favor of approval, with Councilor Churchill abstaining, stating a conflict, motion carried.

Citizens to Speak

Mary Rose Nichols, from Elgin 2010, was present to request that the Council recommend Ray McVey to the Union County Commission for representation on the OEDP Board. She also requested that the Council designate Councilor Cooper as the Council's liaison to Elgin 2010.

Councilor Stover moved to designate Councilor Cooper to be the Council's liaison to Elgin 2010, with Councilor Short as second. The vote was unanimous for approval, motion carried.

Councilor Cooper moved to recommend that the Union County Commission appoint Ray McVey to the OEDP Board, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Committee Reports

The Mayor then called for the committee reports.

Administration: Councilor Churchill reported that the bills had been reviewed.

Public Works: Councilors Short and Bennett, no report.

Public Safety: Councilors Cooper and Stover, no report.

Old Business

Forfeiture/Impound Ordinance

There was a brief discussion regarding further action on the forfeiture ordinance. Councilor Stover asked Judge Howell for his perspective on the ordinance. Judge Howell indicated that it was a good proposal, and would provide a tool for getting felony drivers off the road.

Tom Arrand was concerned about the situation where someone forgot to carry an insurance card with them. The Councilors stated that the ordinance was targeted to apply to those who habitually broke the law and not to the occasional breach of the law.

Mr. and Mrs. McKaige of Captain Hook's towing were present. They were concerned that the implementation of the ordinance should include provisions for those licensed towing companies doing business in the area. It was noted that if the ordinance were adopted, bids for implementing the ordinance would be solicited from any business interested.

Mayor Smith tabled the issue and requested that a hearing be held at the next Council meeting on the forfeiture ordinance.

Opera House 3rd party use guidelines

Lane and Peters submitted rate schedules for use of the Opera House by third parties. Schedules were presented for the Elgin Schools, for-profit groups and not-for-profit groups. These have been reviewed and agreed upon by the Arts Council. Councilor Cooper moved to accept the rate schedules as presented, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

1991 Chandler lease amendments, signature.

Mr. Chandler requested amendments to the 1991 Chandler lease to reflect the actual operation of the sewer irrigation system. These amendments were drafted by the City and have been signed by the parties to the lease. The amendments are ready for the Mayor's signature. Councilor Stover moved to approve the Mayor's signature on the amendments presented, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

New Business

Budget committee appointments.

Randy McKone has indicated an interest in serving on the Budget committee. Chris Reis, Glenn Clark, John McElravey, and Susan McMurdo also indicated an interest in serving. The Council will make appointments at its next meeting.

Union County Public Works proposal to share purchase of sandbagger.

The Council discussed the proposal to share the purchase of a sandbagger. After discussion it was agreed to defer consideration to the budget committee.

Anderson Perry & Assoc. proposal for Inflow/Infiltration work on sewer

Howard Perry, the City Engineer, has proposed an inflow/infiltration correction program. The proposal is to repair a number of leaking service lines, and to do additional TV inspections. The contracted work will be less than $25,000. After discussion, Councilor Cooper moved to proceed with the proposal as submitted, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

Correspondence: The following correspondence was considered:

ODoT, letter stating that the 10th Street sidewalk grant was denied, but requesting that the project be resubmitted at the next round.

OEDD, letter stating that disaster fund grants were available to counties which experienced flood damage last February. Union County will receive about $34,000. The City of Elgin would like to reinforce the dike along North 3rd Ave. A letter will be sent to Union County in this regard.

City of Halfway has written regarding mandatory notification center membership. This puts an undue burden on small cities and degrades the service we provide to diggers in the public rights-of-way. A letter has been sent to Mark Simmons about this.

ODoT has sent information regarding its new infrastructure bank.

USDA/Rural Development is requesting that the City refinance its sewer loans. Letters have been sent to various lending agents.

LOC has provide a sample ordinance for the regulation of "adult"businesses.

OTEC has sent a check in the amount of $1,702.95 for a capital credit refund.

Good of the Order

Councilor Churchill moved to approve the bills as presented, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Mr. Garlitz informed the Council that Norm Marshall has worked for the City for a period of 6 Months. This is the normal probationary period. There is no indication that the probation should be extended, and the Public Works Director recommends that probation be ended.

In this regard, Mayor Smith recessed the meeting to an executive session per, ORS 192.660, to discuss personnel. The Mayor reconvened the meeting. Councilor Churchill moved to end probation for Mr. Marshall, with Councilor Cooper as second. The vote was four for approval, with councilor Stover abstaining. The motion carried.

Councilor Churchill moved to increase Mr. Marshall's wages the customary 6% from February 1, with Councilor Cooper as second. The vote was four for approval, with councilor Stover abstaining. The motion carried.

Councilor Cooper moved to adjourn, with Councilor Stover as second. The vote was unanimous for approval, motion carried.

Minutes respectfully submitted;
Joe Garlitz,
Recorder/Administrator